

children from sexual violence and that we punish those criminals who prey on our children. However, I stand today in opposition to H.R. 3132, the Children's Safety Act. While I support many of its provisions, I am concerned that this bill would expand the use of the death penalty, impose mandatory minimum sentences, and punish more young people as adults.

Although I believe that harsh penalties and aggressive prosecution of sex offenders are necessary, I oppose this bill because it would create at least two new death penalty provisions. I strongly oppose the death penalty because it is fraught with problems such as inadequate representation for the accused, lack of access to DNA testing, police misconduct, racial bias and other errors. Experts have found a national error rate of 68 percent, which means over two-thirds of all capital convictions and sentences are reversed because of serious error during trial or sentencing phase. In fact, former Illinois Governor Ryan declared a moratorium in 2000 after 13 people were released from death row because of innocence. The error rate in Illinois is 66 percent. Therefore, I believe capital punishment is inconsistent with Constitutional requirements of fairness, justice, equality and due process.

This bill would also create 36 new mandatory minimum sentences which are arbitrary, ineffective at reducing crime, and unfair. The United States Sentencing Commission found that minorities were substantially more likely than whites under comparable circumstances to receive mandatory minimums sentences with no evidence that mandatory minimum sentences had any more impact in reducing crime than sentences where the judges had discretion. Judges are exercising their discretion responsibly under advisory guidelines, and there does not appear to be an epidemic of judicial leniency. A proliferation of mandatory minimums is not the answer.

I agree that sexual abuse crimes against children are serious concerns today. Unfortunately, this bill takes the wrong approach. I am especially concerned that this bill allows for more youths to be tried as adults. For example, a 19-year-old who has consensual sex with a 17-year-old would be treated the same as an older adult predator of young children. The vast majority of children and teenagers show a high response rate to treatment and often do not become adult sex offenders. This bill would mandate lifetime sex offender registration for children and youth, and subject them to long prison sentences. Research shows that young people who are prosecuted as adults are more likely to commit a greater number of crimes upon release than youths who go through the juvenile justice system.

Representative CONYERS offered as an amendment to H.R. 3132, the provisions of H.R. 2662, the Local Law Enforcement Hate Crimes Prevention Act. I am an original cosponsor of H.R. 2662, and strongly supported this amendment to H.R. 3132. This legislation would make it easier for the federal government to investigate, prosecute and prevent hate crimes across the country. And I hope it is enacted.

It is the responsibility of Congress to the young people of this nation and to all citizens to combat violence against children. Unfortunately, this bill takes us in the wrong direction. 33 scientific researchers, treatment professionals and child advocates have written to

express their opposition or serious concerns with this bill. Although this bill included the provisions of H.R. 2662, which I strongly support, I oppose H.R. 3132 because it would treat youths as adult criminals and lead to a potential increase in the number of innocent people being executed or languishing in prison.

CREATION OF AN INDEPENDENT HURRICANE KATRINA COMMISSION

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2005

Mr. ETHERIDGE. Mr. Speaker, I rise to support the creation of an independent commission to investigate the preparedness and response to the overwhelming devastation and loss of life from Hurricane Katrina and in opposition to the creation of a partisan select committee.

I cosponsored Congressman HASTINGS (R-WA) bill to create an independent commission because it is the right thing to do. The 9/11 Commission proved successful in investigating all branches and levels of government and offered concrete suggestions to Congress to correct breaches in our national security. The Hastings bill follows that model and presents the best option for a thorough, impartial investigation into the federal response to Hurricane Katrina.

An independent commission is the best approach to this task, as it would allow a higher degree of impartiality and independence than a partisan select committee. I expect the Commission to conduct a thorough investigation of all the people and agencies involved by questioning everyone directly involved in the decision-making process, including the White House Homeland Security Secretary Michael Chertoff and former FEMA director Michael Brown. In addition to investigating the federal government's response to this horrendous natural disaster, the Commission should also determine if our country is adequately prepared to respond to another disaster of this magnitude, as well as serve the needs of all communities potentially affected. This Commission should also provide recommendations regarding improvements to the Executive and Legislative branches that would increase the efficiency and effectiveness of disaster response.

Congress also has a constitutional duty to use its full oversight authority through the committee hearing process to assess the federal government's responsibilities and response to this disaster. We, in North Carolina, have plenty of experience with hurricanes and natural disasters, and we know that we must first rely on our state and local authorities to plan and prepare, but we make these plans with the knowledge that the federal government will back us up when we are overwhelmed.

Congress must make sure that the federal response agencies appreciate and understand their responsibilities to the states in the event of a disaster. Congress must hold the Administration to the highest standards of professionalism and vigorously conduct our constitutional obligation for oversight of these agencies. We must restore the professional integrity of FEMA to protect the American people

from natural disasters as well as terrorist attacks.

Mr. Speaker, our country has worked to increase its preparedness for four years since that tragic day in September 2001, and it appears our efforts have failed. We must work swiftly to correct past mistakes so that we can ensure the safety of all Americans during a time of crisis.

TRIBUTE TO HISPANIC HERITAGE MONTH

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2005

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to National Hispanic Heritage Month. During this month, America celebrates the traditions, ancestry, and unique experiences of those who trace their roots to Mexico, the countries of Central and South America, the Caribbean and Spain and we thank them for the many contributions they have made to this nation.

Unlike any other country on earth, America thrives on its ability to attract people of all faiths, colors and creeds to reside within its borders. Such mixing of cultural knowledge and experiences has helped this country to become the greatest nation the world has ever known. Moreover, as a Puerto Rican, I am very proud of the contributions Hispanics have made and continue to make to this cultural mosaic.

Hispanic influence on American culture is evident from every aspect of American life including music, film, food, arts, sports and politics. Economically, culturally, and politically, Latinos are an integral part of our nation. As we celebrate this special month I would like to pay special tribute to those who were Hispanic trailblazers and helped to bring the rich culture of the Hispanic people to the United States. As a Hispanic Member of Congress, I along with the rest of the Congressional Hispanic Caucus, follow in the footsteps of great pioneers such as Joseph Marion Hernandez who became the first Hispanic to serve as a member of the United States Congress in 1822. Roberto Clementé, Celia Cruz, Raul Julia and countless others helped to open doors in their respective fields enabling the Hispanics of today to share their rich history and culture with all Americans.

As we forge ahead in the 21st century we must continue to work to guarantee that America is not only rich with diversity but equality as well. I am committed to ensuring that Hispanics are able to enjoy a higher standard of living for generations to come. It is important that Hispanics become home owners, attend institutions of higher learning, earn higher wages and receive quality healthcare. The success of this nation depends upon the success of all its citizens.

Mr. Speaker, for their many contributions to our nation and culture, and for their unyielding drive to achieve the American dream, I ask my colleagues to join me in paying tribute to Hispanic Americans during Hispanic Heritage Month.

IN RECOGNITION OF THE 40TH ANNIVERSARY OF NAPA SOLANO HEAD START

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2005

Mr. GEORGE MILLER of California. Mr. Speaker, my colleagues Mrs. TAUSCHER and Mr. THOMPSON of California and I rise today to recognize the tremendous contributions made to Napa and Solano Counties in California by Child Start, Inc. (CSI) as that organization celebrates its 40th anniversary. CSI is a single purpose child and family services agency that operates the Head Start program in this two-county region.

Head Start began in Napa County in 1965, and in 1986 its catchment area expanded to include neighboring Solano County. In 2000, CSI was formally incorporated as the legal entity overseeing the Head Start programs.

CSI strives to create partnerships with parents and public, private and corporate entities to promote social, economic and intellectual growth for families and to promote community change that values each child and family in their diversity and supports them with dignity, pride and compassion.

The Head Start programs in the two-county area serve over 1,000 children and their families. Their successful projects include central and home-based child development activities, children's literacy projects, an early childhood education program and Early Head Start.

Early Head Start provides comprehensive services to pregnant women, infants and toddlers. The Therapeutic Child Care Center in Napa serves families in a center-based infant mental health model. Home-based services are provided in collaboration with Healthy Moms and Babies, Black Infant Health and Child Have, all very successful local programs.

In March 2005 the National Head Start Association recognized CSI as one of the top 40 outstanding Head Start programs in the United States and in August 2005 the California Head Start Association presented CSI with a Distinguished Program Award.

Mr. Speaker, CSI is an invaluable part of the social service network in Napa and Solano Counties and it is appropriate that we acknowledge CSI at this time for its many contributions to our communities.

PERSONAL EXPLANATION

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2005

Ms. HARMAN. Mr. Speaker, on Wednesday, September 14, 2005, I was unavoidably absent from the House of Representatives during rollcall votes 468 and 469. Had I been present, I would have voted "no" on rollcall vote 468 and "aye" on rollcall vote 469.

IN RECOGNITION OF THE YEAR OF THE MUSEUM

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2005

Ms. McCOLLUM of Minnesota. In 2006, American museums will celebrate 100 years as a profession with a prominent place in U.S. society. The recognition of 2006 as the Year of the Museums will allow Congress and the American people to have the opportunity to formally recognize and celebrate the many contributions our Nation's museums continue to make to our culture and life.

Thank you to Congresswoman SLAUGHTER and Congressman SHAYS, co-chairs of the Congressional Arts Caucus, for taking the leadership in introducing this resolution. As a member of the Congressional Arts Caucus and of the National Council on the Arts, as well as a Representative for a Congressional District rich in the arts and humanities, I am proud to be a cosponsor.

Museums encourage the participation in and appreciation of the arts and humanities. They connect citizens to increasingly diverse world and help to preserve a community's culture and history.

Museums also play a critical role in providing children and youth with opportunities that enhance their education in arts and humanities, by providing hands-on learning experiences. Relationships between museums, schools, colleges and universities, and other community organizations ensure that children, youth, students, and adults all have access to objective and educational information that enhance and broaden our understanding of the world we live in.

Without museums, the historical preservation of, as well as the display of and care for, artistic pieces, artifacts, and living specimens would not be possible. Museums exist to connect people with art, history, and culture.

In my District, more than a dozen museums contribute to the historical preservation and artistic expression of their communities, including the American Museum of Asmat Art, the Bell Museum of Natural History, the Como Zoo and Marjorie McNeely Conservatory, the Dakota County Historical Museum, the Gibbs Museum of Pioneer and Dakota Life, the Goldstein Museum of Design, the Jackson Street Roundhouse Museum, the Minnesota Children's Museum, the Minnesota History Center's Museum, the Minnesota Museum of American Art, the Minnesota Wing Commemorative Air Force Museum, the New Brighton History Center Museum, the Schubert Club and Museum of Musical Instruments, the Science Museum of Minnesota, and the Twin City Model Railroad Museum.

Our communities count on our nation's museums, as well as our art and humanities organizations, to help educate, engage, and delight our citizenry and to strengthen our local economies. It is with great pride and appreciation for the role of museums in our communities that I submit this statement for the official United States CONGRESSIONAL RECORD.

TESTIMONY OF RALPH NADER REGARDING THE CONFIRMATION OF SUPREME COURT NOMINEE JUDGE JOHN ROBERTS

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2005

Mr. LARSON of Connecticut. Mr. Speaker, I rise today on behalf of an honorable gentleman from my home state of Connecticut, Mr. Ralph Nader, to submit for the RECORD a copy of testimony that he earlier submitted to the Senate Judiciary Committee's hearing regarding the confirmation of Supreme Court Chief Justice Nominee Judge John Roberts.

Mr. Chairman and members of the Senate Judiciary Committee, thank you for the opportunity to submit testimony on the nomination of Judge John G. Roberts Jr. for the position of Chief Justice of the Supreme Court of the United States. I ask that this statement be made part of the printed hearing record.

In 1994 I testified before the Senate Judiciary Committee on the nomination of Stephen G. Breyer by President Clinton to be an Associate Justice of the Supreme Court of the United States. In that testimony I called attention to the importance of balance in the way our laws handle the challenges of corporate power in America.

I said:

"For our political economy, no issue is more consequential than the distribution and impact of corporate power. Historically, our country periodically has tried to redress the imbalance between organized economic power and people rights and remedies. From the agrarian populist revolt by the farmers in the late 19th and early 20th century, to the rise of the federal and state regulatory agencies, to the surging trade unionism, to the opening of the courts for broader non-property values to have their day, to the strengthening of civil rights and civil liberties, consumer, women's and environmental laws and institutions, corporate power was partially disciplined by the rule of law."

Today it is more important than ever for all Supreme Court Justices and, in particular, the Chief Justice of the Supreme Court to have the inclination and wisdom to realize that our democracy is being eroded by many kinds of widely reported systemic corporate excesses. Giant multinational corporations have no allegiance to any country or community, and the devastation and other injustices they visit upon communities throughout the United States and around the globe have outpaced the countervailing restraints that should be the hallmark of government by, for and of the people. Unfortunately, the structure and scope of these hearings are not likely to devote a sufficient priority to the corporate issues of our times.

In 1816 Thomas Jefferson wrote: "I hope we shall . . . crush in its birth the aristocracy of our moneyed corporations, which dare already to challenge our government to a trial of strength and bid defiance to the laws of our country." Imagine his reaction to the corporate abuses of Enron Corp., HealthSouth Corp., Tyco, WorldCom or Adelphia Communications Corp. to name only a few, along with the drug, tobacco, banking, insurance, chemical and other toxic industries. The corporate crime and greed of today tower over the abuses of the "moneyed corporations" of Jefferson's day. The economic power of giant corporations is augmented by a flood of Political Action Committee (PAC) money and